

Application No. 09/966,900  
Response to Office Action

Customer No. 01933

### REMARKS

Reconsideration of this application, as amended, is respectfully requested.

### ALLOWABLE SUBJECT MATTER

The Examiner's indication of the allowability of the subject matter of claims 14 and 15 is respectfully acknowledged.

Claim 14 has been amended to be rewritten in independent form to include all of the limitations of its parent claim 1.

In addition, claims 14 and 15 have been amended to make some minor grammatical improvements and to correct some minor antecedent basis problems so as to put them in better form for issuance in a U.S. patent.

No new matter has been added, and it is respectfully requested that the amendments to claims 14 and 15 be approved and entered.

It is respectfully submitted that amended claims 14 and 15 are now in condition for immediate allowance.

### THE SPECIFICATION

The specification has been amended to correctly refer to the longitude column as longitude column 93 as shown in Fig. 7, and it is respectfully requested that the amendments to the specification be approved and entered.

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### THE CLAIMS

Claim 1 has been amended to incorporate the subject matter of (now canceled) claim 6 and to more clearly and separately recite the identifying means for identifying at least one of the items of position data stored in the name storing means based on at least one of the items of image picking-up position data stored in the picked-up image storing means and associated with the items of picked-up image data of the group; and the group name determining means for setting a group name of the group as the item of name data stored in the name storing means in association with the identified item of position data.

In addition, claims 1-4, 7-13, 16-19, 21 and 22 have been amended to make some minor grammatical improvements and to correct some minor antecedent basis problems so as to put them in better form for issuance in a U.S. patent.

Still further, new independent claim 27 has been prepared based on the subject matter of (now canceled) claim 24, amended independent claim 1, and claim 2.

No new matter has been added, and it is respectfully requested that the amendments to claims 1-4, 7-13, 16-19, 21 and 22 be approved and entered.

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THE PRIOR ART REJECTION

Claims 1-13 and 16-26 were rejected under 35 USC 102 or under 35 USC 103 as being anticipated by or obvious in view of USP 6,437,797 ("Ota"). These rejections, however, are respectfully traversed.

As recognized by the Examiner, Ota discloses capturing an image and storing the image in association with GPS information indicating the position at which the image was taken. (Column 3, lines 1-38 of Ota.)

According to Ota, the GPS information is used to display thumbnails of the captured images on an electronic map. A user can select the thumbnails to classify the captured images into albums. (Column 3, lines 39-56 of Ota.) The albums created in this manner may be selected for later viewing (column 4, line 64 to column 5, line 30 of Ota).

And as asserted by the Examiner on page 2 of the Office Action, according to Ota, the albums may be identified by place names, for example, as shown in Fig. 7.

It is respectfully pointed out, however, that according to Ota the name of the album is entered by a user. See "album name entry screen 88" in Fig. 13 of Ota and column 6, line 66 to column 7, line 7.

Thus, according to Ota, the album names may be arbitrary (and may be, for example, the names of people). And it is

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respectfully submitted that according to Ota the album names do not necessarily bear any relation to the locations at which the images in the album are taken. Indeed, as shown in Fig. 13 of Ota, the images for an album are selected after the name of the album is selected. (See also column 7, lines 1-14 of Ota.)

By contrast, according to the present invention as recited in amended independent claim 1 and new independent claim 27, items of position data and items of name data associated with the items of position data are stored (in the name storing means according to claim 1). Items of picked-up image data are classified into at least one group, and at least one of the stored items of position data is identified based on at least one of the items of image picking-up position data stored in association with the items of picked-up image data of the group. The item of name data associated with the identified item of position data is set as the group name of the group of items of picked-up image data.

That is, according to the present invention as recited in amended independent claim 1 and new independent claim 27, the group name is automatically selected from a set of stored names associated with position data based on the position(s) at which at least one of the items of picked-up image data was captured. One of the stored positions is identified based on the image

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picking-up position data, and the name corresponding to the identified position is set as the group name.

In order to achieve this feature of the present invention, for example, potential group names must be stored in advance and associated with position data; a technique must be provided for selecting one of the positions based on the positions at which the images in the group were captured (for example by selecting a first image capturing position (as recited in claim 9) or by averaging image capturing positions (as recited in claim 11)); the image data to be included in the group must be decided, at least in part, before the group name is determined to allow the automatically selected group name to accurately reflect the contents of the group; and it must be possible to select one of the stored names based on the selected position data and to set the selected name as the name of the group.

It is respectfully submitted that Ota does not at all disclose, teach or suggest any of these features of the present invention. Specifically, it is respectfully submitted that Ota does not disclose, teach or suggest the name storing means, identifying means or group naming means recited in amended independent claim 1, or the corresponding features of new independent method claim 27.

In view of the foregoing, it is respectfully submitted that amended independent claim 1, new independent claim 27, and

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claims 2-5 and 7-23 depending from amended independent claim 1,  
all patentably distinguish over Ota under 35 USC 102 as well as  
under 35 USC 103.

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Entry of this Amendment, allowance of the claims and the  
passing of this application to issue are respectfully solicited.

If the Examiner has any comments, questions, objections or  
recommendations, the Examiner is invited to telephone the  
undersigned at the telephone number given below for prompt  
action.

Respectfully submitted,

/Douglas Holtz/

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